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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Rolf Menzel

Application No.: 09/920,118

Group Art Unit: 1646

Filed: July 31, 2001

Examiner: To be assigned

For: METHODS AND COMPOSITIONS FOR  
DIRECTED GENE ASSEMBLY

Attorney Docket No.: 10424-003

**REQUEST UNDER 37 C.F.R. §1.27(a) TO ESTABLISH SMALL ENTITY STATUS  
AND REQUEST FOR REFUND UNDER 37 C.F.R. §1.28(a)**

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

It is respectfully requested that the above-identified patent application be accorded Small Entity Status in view of the Verified Statement Claiming Small Entity Status form (hereinafter the "Verified Statement") which is submitted herewith. The Verified Statement has been executed by James W. Sharpe, Chief Executive Officer of Optigenix, Inc. on October 24, 2001 and declares that Optigenix, Inc., the sole assignee of the above-identified application, qualifies as a small business concern under 37 C.F.R. § 1.27(a)(2).

The filing receipt indicates that a fee of \$1,824.00 has been paid in connection with the above-identified application, of which \$912.00 is believed to be in excess of the amount now required. Pursuant to 37 C.F.R. § 1.28(a), Applicant requests a refund of the excess amount within three months of its timely payment. Accordingly, Applicant hereby

requests that the amount of the amount of \$912.00 be credited to Pennie & Edmonds LLP  
Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date October 31, 2001

Laura A. Coruzzi 32,605  
Laura A. Coruzzi (Reg. No.)

By: Muna Abu-Shaar  
Muna Abu-Shaar  
Limited Recognition Under 37 C.F.R. § 10.9(b)  
Copy of Certificate Enclosed

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Enclosures